

325.220 Definitions for chapter.

As used in this chapter, unless the context otherwise requires:

- (1) "Board" means the State Board of Accountancy;
- (2) "State" includes and means any state, territory, or insular possession of the United States, or the District of Columbia;
- (3) "Public accountant" means a public accountant issued a license to practice by the Commonwealth of Kentucky under the Public Accounting Act of 1946 as amended;
- (4) "Attest," "attesting," or "attestation," when used with reference to financial information or the practice of public accountancy, means to issue, or the issuance of, opinions, reports, or other forms of language which state or imply assurance as to the reliability of any:
 - (a) Financial information; or
 - (b) Facts respecting compliance with conditions established by law or contract, including, but not limited to, statutes, ordinances, administrative regulations, grants, loans, and appropriations, together with any wording accompanying or contained in the opinion or certificate, when such opinions, reports, or other forms of language are accompanied by or include any name, title, or wording that indicates that the person or firm issuing them is:
 1. An accountant or auditor;
 2. Has expert knowledge in accounting or auditing; or
 3. That his or her or the firm's work has been performed in accordance with the applicable professional standards for accounting or auditing services as established by the American Institute of Certified Public Accountants or other authorities, as recognized by the board by administrative regulation. The terms include forms of language which disclaim an opinion when the forms of language are conventionally understood to imply any assurance as to the reliability of the financial information referred to and expertise on the part of the person uttering the language; and any other form of language which is conventionally understood to imply such assurance and expertise; or which indicates certain procedures have been performed in accordance with applicable professional standards for accounting or auditing services as established by the American Institute of Certified Public Accountants or other authorities, as recognized by the board by administrative regulation;
- (5) "Regulated activities" means the offering to perform or the performance for a client or potential client by a person or firm holding a license issued under this chapter of one (1) or more types of services involving the use of accounting or auditing skills, including the issuance of reports on financial statements, or one (1) or more types of management advisory, financial advisory, or consulting services, or the preparation of tax returns or the furnishing of advice on tax matters. This definition shall not prohibit anyone who is not a certified public accountant from performing accounting services, such as the preparation of tax returns or financial statements, for which attestation by the preparer is not required;

- (6) "Firm" means a sole proprietorship, partnership, professional service corporation, or any other form of business organization that is authorized to operate under the laws of this Commonwealth, complies with the provisions of this chapter, and is issued a license to practice by the board;
- (7) "License" means a license as a "certified public accountant" issued pursuant to this chapter;
- (8) "Licensee" means a certified public accountant, firm, or public accountant, holding a license to practice issued under this chapter;
- (9) "Peer review" means a study, appraisal, or review of one (1) or more aspects of the professional work of a person or firm licensed to practice and may include a quality assurance or peer review, or any internal review or inspection that is required by professional standards relating to quality control policies and procedures;
- (10) "Review committee" means any person or persons carrying out, administering, or overseeing a peer review program; and
- (11) "Substantial equivalency" means a determination by the board or its designee that the education, examination, and experience requirements in the statutes and administrative regulations of another state for the licensing of a certified public accountant are comparable or better than those contained in the Uniform Accountancy Act issued by the American Institute of Certified Public Accountants (AICPA) and National Association of State Boards of Accountancy (NASBA), or that an individual certified public accountant's education, examination, and experience qualifications are comparable or exceed these national standards.

Effective: July 14, 2000

History: Amended 2000 Ky. Acts ch. 99, sec. 1, effective July 14, 2000. -- Amended 1994 Ky. Acts ch. 248, sec. 2, effective July 15, 1994. -- Amended 1992 Ky. Acts ch. 18, sec. 2, effective July 14, 1992. -- Amended 1990 Ky. Acts ch. 285, sec. 1, effective July 13, 1990. -- Amended 1984 Ky. Acts ch. 117, sec. 1, effective July 13, 1984. -- Amended 1968 Ky. Acts ch. 143, sec. 1. -- Created 1946 Ky. Acts ch. 210, sec. 21.